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## Request For Continued Examination (RCE) Transmittal

Subsection (b) of 36 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Address to: <b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	Attorney Docket No.	000309-00202	Serial No.	09/928,044
	First Inventor	Jon M. BISHAY	Filing Date	August 11, 2001
	Group Art Unit	3762	Examiner	George Robert Evanisko

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/ISB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

### 1. Submission required under 37 C.F.R. § 1.114

#### a. ☒ Previously submitted

☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

☒ Other: Information Disclosure Statement re-filed July 15, 2004 and Form PTO-1449 (12 pp. w/o references)

#### b. ☒ Enclosed

☐ Amendment/Reply

☐ Affidavit(s)/Declaration (s)

☒ Information Disclosure Statement (IDS) w/Form PTO-1449 (12 pp.)

☐ Other: \_\_\_\_\_

### 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Petition for extension of time under 37 C.F.R. § 1.136.

c. ☐ Other: \_\_\_\_\_

### 3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-2185

☒ RCE fee required under 37 C.F.R. § 1.17(e) of:

☒ \$770.00 for a large entity ☐ \$385.00 for a small entity

☐ Extension of time fee of \$130.00 for the suspension (37 C.F.R. § 1.103(c) and/or \$\_\_\_\_\_ for \_\_\_\_\_ month(s) extension of time (37 C.F.R. § 1.136)

☐ Other: \_\_\_\_\_

b. ☐ Check in the amount of \$\_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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PATENT TRADEMARK OFFICE

Name:	Michael C. Greenbaum	Registration No.:	28,419
Signature:			Date:
			August 20, 2004

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